

**U.S. District Court  
Southern District of New York (Foley Square)  
CIVIL DOCKET FOR CASE #: 1:19-cv-01976-VSB**

People of the State of New York v. United States Department of Labor  
Assigned to: Judge Vernon S. Broderick  
Cause: 05:552 Freedom of Information Act

Date Filed: 03/01/2019  
Jury Demand: None  
Nature of Suit: 895 Freedom of Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**People of the State of New York**  
*by Letitia James, Attorney General of the State of New York*

represented by **Jeremy M. Pfetsch**  
NYS Office of The Attorney General  
State Capital  
Albany, NY 12224  
212-416-8662  
Email: [jeremy.pfetsch@ag.ny.gov](mailto:jeremy.pfetsch@ag.ny.gov)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Kevin M. Lynch**  
N.Y.S. Office of The Attorney General  
120 Broadway  
New York, NY 10271  
(212)-416-6081  
Fax: 212-416-8694  
Email: [kevin.lynch@ag.ny.gov](mailto:kevin.lynch@ag.ny.gov)  
**TERMINATED: 04/08/2019**  
**LEAD ATTORNEY**

V.

**Defendant**

**United States Department of Labor**

represented by **Emily Elizabeth Bretz**  
United States Attorney's Office  
Southern District Of New York  
86 Chambers Street, Third Floor  
New York, NY 10007  
(212)-637-2800  
Email: [Emily.Bretz@usdoj.gov](mailto:Emily.Bretz@usdoj.gov)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
03/01/2019	<u>1</u>	<b>FILING ERROR – DEFICIENT PLEADING – FILER ERROR</b> – COMPLAINT against United States Department of Labor. (Filing Fee \$ 400.00, Receipt Number ANYSDC-16430575) Document filed by New York State Attorney General. (Attachments: # <u>1</u> Exhibit Ex. A – FOIA Request, # <u>2</u> Exhibit Ex. B – WHD Acknowledgment, # <u>3</u> Exhibit Ex. C – OASP Response, # <u>4</u> Exhibit Ex. D – OASCA Response, # <u>5</u> Exhibit Ex. E – WHD Communication)(Lynch, Kevin) Modified on 3/4/2019 (pne). (Entered: 03/01/2019)
03/01/2019	<u>2</u>	CIVIL COVER SHEET filed. (Lynch, Kevin) (Entered: 03/01/2019)
03/01/2019	<u>3</u>	<b>FILING ERROR – FILER ERROR</b> – STATEMENT OF RELATEDNESS re: that this action be filed as related to 1:18-cv-07029. Document filed by New York State Attorney General.(Lynch, Kevin) Modified on 3/4/2019 (pne). (Entered: 03/01/2019)
03/01/2019	<u>4</u>	<b>FILING ERROR – DEFICIENT PLEADING – SUMMONS REQUEST FILER ERROR</b> – REQUEST FOR ISSUANCE OF SUMMONS as to United States

		Department of Labor, re: <u>1</u> Complaint,. Document filed by New York State Attorney General. (Lynch, Kevin) Modified on 3/4/2019 (pne). (Entered: 03/01/2019)
03/04/2019		CASE OPENING INITIAL ASSIGNMENT NOTICE: The above–entitled action is assigned to Judge Unassigned. (pne) (Entered: 03/04/2019)
03/04/2019		Case Designated ECF. (pne) (Entered: 03/04/2019)
03/04/2019		CASE REFERRED TO Judge P. Kevin Castel as possibly related to 18CV7029. (pne) (Entered: 03/04/2019)
03/04/2019		<b>***NOTICE TO ATTORNEY REGARDING PARTY MODIFICATION. Notice to attorney Kevin M. Lynch. The party information for the following party/parties has been modified: People of the State of New York, United States Department of Labor. The information for the party/parties has been modified for the following reason/reasons: party name contained a typographical error; party role was entered incorrectly. (pne) (Entered: 03/04/2019)</b>
03/04/2019		<b>***NOTICE TO ATTORNEY REGARDING DEFICIENT PLEADING. Notice to Attorney Kevin M. Lynch to RE–FILE Document No. <u>1</u> Complaint,. The filing is deficient for the following reason(s): the wrong filer/filers were selected for the pleading; the name of the filer is incorrect on the docket entry. Re–file the pleading using the event type Complaint found under the event list Complaints and Other Initiating Documents – attach the correct signed PDF – select the individually named filer/filers – select the individually named party/parties the pleading is against. **DO NOT USE GOOGLE CHROME OR SAFARI BROWSERS** (pne) (Entered: 03/04/2019)</b>
03/04/2019		<b>***NOTICE TO ATTORNEY REGARDING DEFICIENT RELATED CASE STATEMENT. Notice to attorney Kevin M. Lynch to RE–FILE Document No. <u>3</u> Statement of Relatedness. The filing is deficient for the following reason(s): the wrong filer/filers were selected for the related case statement; the name of the filer is incorrect on the docket entry. Re–file the document using the event type Statement of Relatedness found under the event list Other Documents – select the correct filer – enter the related case number when prompted – and attach the correct PDF. (pne) (Entered: 03/04/2019)</b>
03/04/2019		<b>***NOTICE TO ATTORNEY REGARDING DEFICIENT REQUEST FOR ISSUANCE OF SUMMONS. Notice to Attorney Kevin M. Lynch to RE–FILE Document No. <u>4</u> Request for Issuance of Summons. The filing is deficient for the following reason(s): the wrong filer/filers were selected for the request for issuance of summons; the name of the filer is incorrect on the docket entry. Re–file the document using the event type Request for Issuance of Summons found under the event list Service of Process – select the correct filer/filers – and attach the correct summons form PDF. (pne) (Entered: 03/04/2019)</b>
03/04/2019	<u>5</u>	COMPLAINT against United States Department of Labor. Document filed by People of the State of New York. (Attachments: # <u>1</u> Exhibit Ex. A – FOIA Request, # <u>2</u> Exhibit Ex. B – WHD Acknowledgment, # <u>3</u> Exhibit Ex. C – OASP Response, # <u>4</u> Exhibit Ex. D – OASCA Response, # <u>5</u> Exhibit Ex. E – WHD Letter)(Lynch, Kevin) (Entered: 03/04/2019)
03/04/2019	<u>6</u>	STATEMENT OF RELATEDNESS re: that this action be filed as related to 1:18–cv–07029. Document filed by People of the State of New York.(Lynch, Kevin) (Entered: 03/04/2019)
03/04/2019	<u>7</u>	REQUEST FOR ISSUANCE OF SUMMONS as to United States Department of Labor, re: <u>5</u> Complaint,. Document filed by People of the State of New York. (Lynch, Kevin) (Entered: 03/04/2019)
03/05/2019	<u>8</u>	ELECTRONIC SUMMONS ISSUED as to United States Department of Labor. (dnh) (Entered: 03/05/2019)
03/06/2019	<u>9</u>	Objection re: <u>6</u> Statement of Relatedness . Document filed by United States Department of Labor. (Attachments: # <u>1</u> Exhibit 1 (Prior FOIA request), # <u>2</u> Exhibit 2 (Instant FOIA request))(Bretz, Emily) (Entered: 03/06/2019)

03/06/2019		CASE DECLINED AS NOT RELATED. Case referred as related to 18CV7029 and declined by Judge P. Kevin Castel and returned to wheel for assignment. (ma) (Entered: 03/06/2019)
03/06/2019		NOTICE OF CASE REASSIGNMENT to Judge Vernon S. Broderick. Judge Unassigned is no longer assigned to the case. (ma) (Entered: 03/06/2019)
03/06/2019		Magistrate Judge Ona T. Wang is so designated. Pursuant to 28 U.S.C. Section 636(c) and Fed. R. Civ. P. 73(b)(1) parties are notified that they may consent to proceed before a United States Magistrate Judge. Parties who wish to consent may access the necessary form at the following link: <a href="http://nysd.uscourts.gov/forms.php">http://nysd.uscourts.gov/forms.php</a> . (ma) (Entered: 03/06/2019)
03/27/2019	<u>10</u>	AFFIDAVIT OF SERVICE (FOIA CASE). United States Department of Labor served on 3/20/2019, answer due 4/19/2019. Service was accepted by Haojuh Li, Clerk. Document filed by People of the State of New York. (Lynch, Kevin) (Entered: 03/27/2019)
04/04/2019	<u>11</u>	NOTICE OF APPEARANCE by Jeremy M Pfetsch on behalf of People of the State of New York. (Pfetsch, Jeremy) (Entered: 04/04/2019)
04/05/2019	<u>12</u>	FIRST MOTION for Kevin M. Lynch to Withdraw as Attorney . Document filed by People of the State of New York.(Lynch, Kevin) (Entered: 04/05/2019)
04/08/2019	<u>13</u>	MEMO ENDORSEMENT granting <u>12</u> Motion to Withdraw as Attorney. ENDORSEMENT: IT IS SO ORDERED. (Attorney Kevin M. Lynch terminated.) (Signed by Judge Vernon S. Broderick on 4/8/2019) (rro) (Entered: 04/08/2019)
04/19/2019	<u>14</u>	ANSWER to <u>5</u> Complaint,. Document filed by United States Department of Labor.(Bretz, Emily) (Entered: 04/19/2019)
06/21/2019	<u>15</u>	ORDER AND NOTICE OF INITIAL CONFERENCE: Initial Conference set for 7/11/2019 at 10:00 AM in Courtroom 518 of the Thurgood Marshall United States Courthouse, 40 Centre Street, New York, NY 10007 before Judge Vernon S. Broderick. (Signed by Judge Vernon S. Broderick on 6/21/2019) (mro) (Entered: 06/24/2019)
07/01/2019	<u>16</u>	PRE-CONFERENCE STATEMENT <i>dated July 1, 2019</i> . Document filed by People of the State of New York.(Pfetsch, Jeremy) (Entered: 07/01/2019)
07/11/2019		Minute Entry for proceedings held before Judge Vernon S. Broderick: Initial Pretrial Conference held on 7/11/2019. (Court Reporter Alena Lynch) (msa) (Entered: 07/11/2019)
08/30/2019	<u>17</u>	STATUS REPORT. Document filed by United States Department of Labor.(Bretz, Emily) (Entered: 08/30/2019)
09/03/2019	<u>18</u>	MEMO ENDORSEMENT on re: <u>17</u> STATUS REPORT. Document filed by United States Department of Labor. ENDORSEMENT: Application granted. So ordered. The parties shall submit a joint status report no later than October 4, 2019. (Signed by Judge Vernon S. Broderick on 9/3/2019) (rjm) (Entered: 09/03/2019)
10/04/2019	<u>19</u>	STATUS REPORT. Document filed by United States Department of Labor.(Bretz, Emily) (Entered: 10/04/2019)